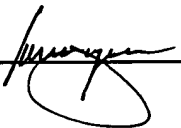



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PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional) 80398P115	
<p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on <u>August 16, 2006</u>.</p> <p>Signature <u></u></p> <p>Typed or printed name <u>Tu T. Nguyen</u></p>	Application No. <u>08/936,344</u>	Filed <u>September 24, 1997</u>	
	First Named Inventor <u>Paul Michael Embree</u>		
	Art Unit <u>2644</u>	Examiner <u>Justin I. Michalski</u>	
<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a Notice of Appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s). NOTE: No more than five (5) pages may be provided.</p> <p>I am the:</p> <p><input type="checkbox"/> applicant/inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under of 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p> <p><input checked="" type="checkbox"/> Attorney or agent of record. Registration Number <u>42,034</u></p> <p><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____</p> <p><u></u> Signature</p> <p><u>Thinh V. Nguyen</u> Typed or printed name</p> <p><u>(714) 557-3800</u> Telephone Number</p> <p><u>August 16, 2006</u> Date</p> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required.</p> <p><input type="checkbox"/> *Total of _____ forms are submitted.</p>			



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No. : 08/936,344  
Applicant : Paul Michael Embree  
Filed : September 24, 1997  
TC/A.U. : 2615  
Examiner : Justin I. Michalski

Confirmation No. 9648

Docket No. : 080398.P115  
Customer No. : 8791

Commissioner for Patents  
PO Box 1450  
Alexandria VA 22313-1450

**PRE-APPEAL BRIEF REQUEST FOR REVIEW**

Sir:

In response to the Final Office Action dated May 16, 2006, Applicants would like to request a pre-appeal panel review of the application.

**Remarks/Arguments** begin on page 2 of this paper.

### **REMARKS/ARGUMENTS**

Claims 2-4 and 6-15 are pending in the present application.

This request is in response to the Final Office Action mailed May 17, 2006. In the Final Office Action, the Examiner rejected claims 1-30 under 35 U.S.C. §103(a). Applicants respectfully traverse the rejections and contend that the Examiner has not established a prima facie case of indefiniteness and/or anticipation.

Pre-appeal panel review of the application in light of the remarks/arguments made herein is respectfully requested.

There are several clear errors in the Examiner's rejections and arguments.

1. Oxford does not disclose, either expressly or inherently, at least (1) providing a plurality of memory banks where each memory bank is accessible to the first and second processors for operations selected from the group comprising read and write operations, (2) storing subsets of said audio data in the plurality of memory banks where the subsets correspond to different groups of audio channels, and (3) a first processor and a second processor coupled to said first and second busses, respectively.

Applicants refer to the response filed on December 28, 2005, page 5. Among other things, Applicants submit that Oxford does not disclose memory banks accessible to the first and second processors, and storing subsets of audio data, as recited in claim 3. Oxford merely discloses a digital signal audio processor 103 (Oxford, col. 4, lines 21-22). Furthermore, Oxford does not disclose first and second buses coupled to first and second processors, respectively, as recited in claim 6.

2. Van Nostrand does not disclose different groups of channels and data stream corresponding to audio data.

Applicants refer to the response filed on December 28, 2005, page 7. Among other things, Applicants contend that Van Nostrand merely discloses digitized images, and the use of Video RAM (VRAM) is only suitable for pixel data, or image data, not audio data. Furthermore, Van Nostrand does not disclose different groups of channels.

3. Fukami does not disclose (1) storing the subsets of audio data in the memory banks in an interleaving manner; (2) subsets of real-time audio data corresponding to different groups of audio channels; and (3) real-time audio data

Applicants refer to the response filed on December 28, 2005, pages 7- 8. Among other things, Applicants contend that Fukami merely discloses a single memory circuit 30 accessible to only to the DSP circuit 26 (Fukami, col. 4, lines 4-5; Figure 3, element 30), not to first and second processors. Therefore, Fukami does not disclose storing the subsets of audio data in the memory banks in an interleaving manner. In addition, Fukami merely discloses storing the recording signal DR in the memory circuit 30 (Fukami, col. 4, lines 4-5), not subsets of real-time audio data corresponding to different groups of audio channels. Furthermore, Fukami merely discloses processing audio and video signals from a video tape recorder (Fukami, col. 2, lines 45-49), not real-time audio data. Accordingly, Fukami does not disclose or suggest storing subsets of real-time audio data in a plurality of memory banks in an interleaving manner.

4. Shores does not disclose storing in one of the memory banks and reading the stored data from another one of the memory banks.

Applicants refer to the response filed on December 28, 2005, page 8. Among other things, Applicants submit that Shores merely discloses a single memory being divided into two halves, each half having equal sized groups of successive memory locations (Shores, col. 10, lines 22-24; Figure 12, element 33), not storing in one of the memory banks and reading the stored data from another one of the memory banks.

Accordingly, Applicants respectfully request the Review Panel render a decision allowing the application.

***Conclusion***

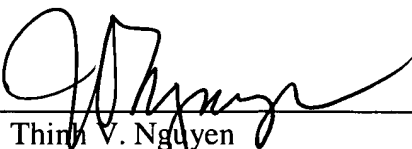
Applicant respectfully requests the Review Panel render a decision allowing the application.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: August 16, 2006

By

  
Thinh V. Nguyen

Reg. No. 42,034

Tel.: (714) 557-3800 (Pacific Coast)

12400 Wilshire Boulevard, Seventh Floor  
Los Angeles, California 90025

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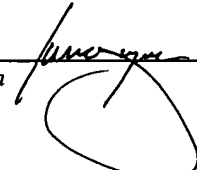
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Date: August 16, 2006

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Trademark Office.

  
Tu Nguyen

August 16, 2006

Date